

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ZACH HILLESHEIM,

Plaintiff,

vs.

WESTLAKE HARDWARE, INC., and  
REALTY INCOME CORPORATION,

Defendants.

**8:17CV240**

**ORDER**

IT IS ORDERED that Defendants' unopposed motion to extend progression deadlines (Filing No. 27) is granted, and the final progression order (Filing No. 18) is amended as follows:

- 1) The non-jury trial of this case is set to commence before Robert F. Rossiter, Jr., United States District Judge in Courtroom 4, Roman L. Hruska Federal Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 9:00 a.m. on January 8, 2019, or as soon thereafter as the case may be called, for a duration of two (2) trial days. This case is subject to the prior trial of criminal cases and such other civil cases as may be scheduled for trial before this one.
- 2) The Pretrial Conference is scheduled to be held before the undersigned magistrate judge on December 18, 2018 at 9:00 a.m., and will be conducted by internet/telephonic conferencing. Counsel shall use the conferencing instructions assigned to this case to participate in the conference. The parties' proposed Pretrial Conference Order and Exhibit List(s) must be emailed to [zwart@ned.uscourts.gov](mailto:zwart@ned.uscourts.gov), in either Word Perfect or Word format, by 5:00 p.m. on December 14, 2018.
- 3) The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is June 8, 2018. Motions to compel Rule 33 through 36 discovery must be filed by June 22, 2018.

**Note:** Motions to compel shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 4) The deadline for complete expert disclosures for all experts expected to testify at trial, (both retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(B\)](#)), and non-retained experts, ([Fed. R. Civ. P. 26\(a\)\(2\)\(C\)](#)), is:

For the defendant(s): May 7, 2018.

- 5) The deposition deadline is July 6, 2018.
- 6) The deadline for filing motions to dismiss and motions for summary judgment is September 7, 2018.<sup>1</sup>
- 7) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is June 8, 2018.
- 8) Motions in limine shall be filed five business days prior to trial. It is not the normal practice to hold hearings on motions in limine or to rule on them in advance. Counsel should plan accordingly.
- 9) The parties shall comply with all other stipulations and agreements recited in their Rule 26(f) planning report that are not inconsistent with this order.

Dated this 18th day of April, 2018.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge

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<sup>1</sup> To facilitate the court's review, the parties are strongly encouraged to include hyperlinks to the evidence, CM/ECF record, and all legal authorities cited within their briefs filed in support of, or in opposition to, any motions filed. See NECivR [7.1](#). For instructions, see "Hyperlinking Information" at <http://www.ned.uscourts.gov/attorney/electronic-case-filing>.